

REMARKS

Claims 1-22 were provisionally rejected under the judicially created doctrine of obviousness type double patenting as being unpatentable over claims 1-22 of copending Application No. 10/765,607 ('607) in view of Raychaudhuri (US Pub. 2004/0140758) as shown in Table 1.

Applicants submit herewith a terminal disclaimer in view of copending Application No. 10/765,607. Applicants have not provided a terminal disclaimer in view of Raychaudhuri (US Pub. 2004/0140758). This publication corresponds to copending application U.S. Serial No. 10/347,013 for which an office action was mailed on April 4, 2005. It is the intention of Eastman Kodak Company who is the assignee of U.S. Serial No. 10/347,013 and of the present application to allow U.S. Serial No. 10/347,013 become abandoned by failing to respond to the office action. In view of the fact that both the present application and U.S. Serial No. 10/347,013 are both owned by the same assignee, it is not believed to be prior art under 35 USC 103(c).

If the Examiner has any questions regarding this response he is invited to contact the undersigned at the number below.

Respectfully submitted,



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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.